UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED
MAY 17 2017
U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
WARDELL POLK and
LENARD KELLY,)
Defendants.)

4:17CR00225 CDP/DDN

INDICTMENT

COUNT ONE

The Grand Jury charges that:

On or about October 24, 2016, in the City of St. Louis within the Eastern District of Missouri,

WARDELL POLK,

the Defendant herein did obstruct, delay, or affect commerce or the movement of any article or commodity in commerce or attempt to do so by robbery of Taco Bell, a commercial establishment engaged in interstate or foreign commerce and in the business of buying and selling articles and commodities that have been previously transported in interstate or foreign commerce.

In violation of Title 18, United States Code, Section 1951(a), and punishable under Title 18, Untied States Code, Section 1951(a).

COUNT TWO

The Grand Jury further charges that:

On or about October 24, 2016, in the City of St. Louis within the Eastern District of Missouri,

WARDELL POLK,

the Defendant herein knowingly possessed and brandished a firearm, in furtherance of a crime of violence for which he may be prosecuted in a court of the United States, that is, attempt to obstruct, delay, or affect commerce by robbery as charged in Count One herein.

In violation of Title 18, United States Code, Section 924(c)(1)(A), and punishable under Title 18, United States Code, Section 924(c)(1)(A)(ii).

COUNT THREE

The Grand Jury further charges that:

On or about October 29, 2016, in the City of St. Louis within the Eastern District of Missouri,

WARDELL POLK and
LENARD KELLY,

the Defendants herein, acting together, did obstruct, delay, or affect commerce or the movement of any article or commodity in commerce or attempt to do so by robbery of Taco Bell, a commercial establishment engaged in interstate or foreign commerce and in the business of buying and selling articles and commodities that have been previously transported in interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 1951(a) and 2, and punishable under Title 18, Untied States Code, Section 1951(a).

COUNT FOUR

The Grand Jury further charges that:

On or about October 29, 2016, in the City of St. Louis within the Eastern District of Missouri,

WARDELL POLK and
LENARD KELLY,

the Defendants herein, acting together, knowingly possessed and brandished a firearm, in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, attempt to obstruct, delay, or affect commerce by robbery as charged in Count Three herein.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A)(ii).

COUNT FIVE

The Grand Jury further charges that:

On or about December 14, 2016, in the City of St. Louis within the Eastern District of Missouri,

WARDELL POLK and
LENARD KELLY,

the Defendants herein, acting together, did obstruct, delay, or affect commerce or the movement of any article or commodity in commerce or attempt to do so by robbery of Taco Bell, a commercial establishment engaged in interstate or foreign commerce and in the business of buying and selling articles and commodities that have been previously transported in interstate or foreign commerce.

In violation of Title 18, United States Code, Sections 1951(a) and 2, and punishable under Title 18, Untied States Code, Section 1951(a).

COUNT SIX

The Grand Jury further charges that:

On or about December 14, 2016, in the City of St. Louis within the Eastern District of Missouri,

WARDELL POLK and
LENARD KELLY,

the Defendants herein, acting together, knowingly possessed, brandished, and discharged a firearm, in furtherance of a crime of violence for which they may be prosecuted in a court of the United States, that is, attempt to obstruct, delay, or affect commerce by robbery as charged in Count Five herein.

In violation of Title 18, United States Code, Sections 924(c)(1)(A) and 2, and punishable under Title 18, United States Code, Section 924(c)(1)(A)(iii).

COUNT SEVEN

The Grand Jury further charges that:

Beginning on or about October 24, 2016, and continuing through on or about December 14, 2016, in the City of St. Louis, within the Eastern District of Missouri,

WARDELL POLK,

the Defendant herein, having been previously convicted of one or more crimes punishable by a term of imprisonment exceeding one year, did knowingly possess a firearm, which traveled in interstate or foreign commerce during or prior to being in the Defendant's possession.

In violation of Title 18, United States Code, Section 922(g)(1).

A TRUE BILL

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FOREPERSON

CARRIE A. COSTANTIN
Acting United States Attorney

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SAYLER A. FLEMING, #58775MO
Assistant United States Attorney